



Posted: 10/20/10 NF

CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: [WWW.DPR.DELAWARE.GOV](http://WWW.DPR.DELAWARE.GOV)

DIVISION OF PROFESSIONAL REGULATION

<b>PUBLIC MEETING NOTICE:</b>	<b>BOARD OF PHARMACY</b>
<b>DATE AND TIME:</b>	<b>Wednesday, September 15, 2010 at 9:30 a.m.</b>
<b>PLACE:</b>	Conference Room A, Cannon Building 861 Silver Lake Blvd., Dover, DE 19904
<b>APPROVED:</b>	October 20, 2010

**MEMBERS PRESENT**

Sebastian Hamilton, R.Ph, Professional Member, President  
Howard Simon, R.Ph, Professional Member, Vice President  
Sandra Robinson, R.Ph, Professional Member  
Don Holst, R.Ph, Professional Member  
Geoffrey N. Christ, Esq., R.Ph, Professional Member  
David W. Dryden, R.Ph., J.D., Executive Secretary

**MEMBERS ABSENT**

Carolyn Calio, Public Member  
David Bonar, Public Member  
Joli Martini, R.Ph, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Allison Reardon, Deputy Attorney General  
Nancy Fields, Administrative Specialist II

**ALSO PRESENT**

Yen Pham  
Cheryl Heiks  
Chip Caney  
Amylynn Pizzano  
Ken Grossett  
Sharon Hartman  
Ashley Webb  
Al Carter  
Trent Beach  
Ram Neravetla  
Rav Pappu  
John Casalino  
Lisa Schieffert  
Tiffany Sorey  
Jaime Frink  
Phil Anderson  
Bah Fomukong  
Stephen Hampton

Harold Janes

### **CALL TO ORDER**

Mr. Hamilton called the meeting to order at 9:33 a.m.

### **REVIEW OF MINUTES**

A motion was made by Mr. Simon, seconded by Mr. Holst, to approve the July 15, 2010 minutes as amended. The motion unanimously carried.

### **PRESIDENT'S REPORT**

Mr. Hamilton stated that on September 21, 2010, he is going to Washington, D.C. to accept an award for the Delaware Board of Pharmacy. Delaware placed forth in the nation for its e-prescribing program.

Mr. Hamilton wanted to publicly thank Jim Kaminski for all the years of dedicated service for the Board and the Division of Professional Regulation. Mr. Kaminski has assisted many people in many ways throughout the years and he will be missed. A new candidate should be hired soon to replace him.

Mr. Hamilton also wanted to congratulate David Bonar for his new appointment to Dover City Council.

Mr. Hamilton extended a special thank you for everyone who participated in the two-day hearing for Kashuba and Renaissance Family Pharmacy.

On October 29, 2010, the District II meeting will be held in Cooperstown, NJ.

There is a MPJE workshop at NABP on September 21 and 22, 2010. Mr. Holst will attend.

### **UNFINISHED BUSINESS**

#### **Legitimate Medical Purpose – Internet Pharmacy Proposal**

No report

#### **Drug Disposal and Distribution Review**

On September 25, 2010, there will be a national drug take-back disposal sponsored by the DEA. There are several locations throughout Delaware. Mr. Dryden will be sending out an alert to get assistance from pharmacists.

#### **Regulation 14 Review - Administration of Injectable Medications**

Mr. Holst advised that the Committee met on September 9, 2010 and after further review of current statute, the Committee determined a pharmacist may immunize for any age, where an adult dose is appropriate. This is in accordance with Del. C. §2502 and manufacturer guidelines. Ms. Reardon agreed with the Board.

A motion was made by Mr. Holst, seconded by Ms. Robinson, to accept the Committee's recommendation to follow manufacturer guidelines regarding an adult immunization dosage. The motion unanimously carried.

### Regulation 7 Review

Ms. Robinson advised that a Committee meeting will be scheduled soon.

### State of Emergency Issue Update

Ms. Robinson found Senate Bill 306, which described three levels of driving bans. Ms. Reardon will see if this bill passed and when it went into effect. Regulations regarding this issue will have to be written as well.

Mr. Dryden will be sending an email to Public Safety and Homeland Security in response to their email that he received.

### Regulation 5 Disposal Issue Review

Ms. Reardon's review is still pending.

### Walgreen's Stickerless Program – Al Carter

Mr. Al Carter of Walgreens Management Affairs in Chicago presented the Board with information about Walgreen's Stickerless Program for all prescriptions, which is already being used. The C2 – C5's will be filed separately. He advised that Medicaid asked if the Board had approved the program; therefore, he is asking for official approval of the electronic record keeping program from the Board. Mr. Dryden will check with the DEA about their thoughts and concerns with this program because he and Mr. Kaminski also voiced their concerns about readily retrievable information and the writing of prescriptions by pharmacist staff. After he gets the DEA's opinion, Mr. Dryden will send an email to Medicaid to advise them on the status of the Board's approval.

A motion was made by Mr. Hamilton, seconded by Mr. Christ, to approve the program after approval is received from the DEA.

### Sharp's Take-Away Environmental Return System Presentation

Sharp's representatives came before the Board in order to give an overview presentation of its unused drug disposal program, which has already been introduced in Delaware. This program is considered to be an additional or alternate way of disposing of unused drug disposal; however, the Board has concerns over public safety. Mr. Hamilton asked that it be placed on the agenda for discussion next month.

A motion was made by Ms. Robinson, seconded by Mr. Holst to move down on the agenda. The motion unanimously carried.

### Request to Lift Suspension – Kenneth Grossett

After review and discussion, a motion was made by Mr. Christ, seconded by Mr. Holst, to lift the suspension and place on probation pending the final Decision and Order. The motion unanimously carried.

### Re-Review of Tabled Application for Ramakrishna Neravetla

After review and discussion, a motion was made by Mr. Christ, seconded by Mr. Simon, to approved Mr. Neravetla for licensure. The motion unanimously carried.

A motion was made by Mr. Holst, seconded by Ms. Robinson, to move back up on the agenda for the hearing. The motion unanimously carried.

A motion was made by Mr. Christ, seconded by Mr. Holst, to have a 5 minute recess. The motion unanimously carried.

A motion was made by Ms. Robinson, seconded by Mr. Simon, to go back to session. The motion unanimously carried.

#### Disciplinary Hearing – Harold Janes

Ms. Reardon explained the purpose of the hearing and advised there were some preliminary matters to attend to. The Board was introduced. Mr. Stephen Hampton was introduced as the attorney for Mr. Janes. Because Mr. Christ had to recuse himself from the hearing due to being the contact person for this complaint, the Board lost its quorum. Ms. Reardon apologized for not having the quorum of board members necessary in order to hold the hearing and recommended that the hearing be rescheduled. Mr. Hamilton asked for questions or comments from the respondent or legal council. Being there were none, a motion was made by Mr. Holst, seconded by Ms. Robinson, to close the hearing.

#### Review of Xttrium Laboratories, Inc.

After review of the supplemental documents, a motion was made by Mr. Christ, seconded by Mr. Simon, to approve the licensure. The motion unanimously carried.

### **NEW BUSINESS**

#### Pharmacist-In-Charge (PIC) and Consultant Interviews

Mr. Simon conducted the PIC interviews for Jaime Frink, Amy Lynn Pizzaro, Ashley Webb, Yen Pham, Ravi Pappu, and Sharon Hartman.

#### Pharmacist Licensure Ratifications

A motion was made by Ms. Robinson, seconded by Mr. Simon, to ratify the following Pharmacist licenses issued by the Division of Professional Regulation for: Brandon Nolte, Rebecca Marryott, Rachel Dicker, Shiri R. Martin, Sandra K. Cruz, Jason Slavoski, Valerie D. Barnes, Suja Pillai Somasekharan, Merideth Brown, Hilda N. Igbokidi, Shawn Fellows, Darren Leatherman, John C. Morris, Elizabeth Ryan, Lauren A. Clifford, Jayme M. Pieniaszek, Seema Syal, Katherine R. Duff, Satya N. Addaganti-Vankata, Robert F. Kitonyo, Nicholas R. Blanchard, Anthony Gabriel, Bhavin R. Patel, Komal N. Gala, Kathryn C. Bubacz, Elena E. Mason, Pranali Patel, Solomon A. Isolio, Judy Vu Spica, Anoop A. Joseph, Frank Agyei-Yeboah, Elizabeth A. Gallagher, Danielle R. Czajka, Mary E. Michael, and Megan T. Pulleyn.

The motion unanimously carried.

#### Pharmacist Application Reviews

The Board reviewed and discussed the application of Lisa Marie Miller, who had a previous discipline in another state regarding continuing education.

A motion was made by Mr. Christ, seconded by Ms. Robinson, to approve Lisa Miller for licensure after completing all requirements. The motion unanimously carried.

The Board reviewed and discussed the application for Bah Fomukong, who had a previous discipline in another state.

A motion was made by Mr. Christ, seconded by Mr. Holst, to approve Mr. Fomukong for licensure after completing all the requirements. The motion unanimously carried.

The Board reviewed and discussed Almac Clinical Services application for licensure. The application was tabled due to needing a patient profile.

The Board reviewed and discussed the application for Medication Therapy Management Service. The Board agreed with the Executive Secretary that an application for Pharmacy is required.

The Board reviewed and discussed the application for Owens and Minor Distribution, who had a number of violations and disciplines in other states. A motion was made by Mr. Christ, seconded by Mr. Holst, to propose to deny the application. The motion unanimously carried.

#### Consent Agreement Review

The consent agreements were tabled until the next meeting due to not having quorum.

#### Committee Reports

**Joint Practice Committee – Don Holst and Howard Simon** – Mr. Holst reported that 8 Advanced Practice Nurses were approved for prescriptive authority and 5 were pending for controlled prescriptive authority.

**Physician's Assistant Report – Sebastian Hamilton, R.Ph:** Mr. Hamilton advised that the council met on September 7, 2010 and approved 29 applications for controlled substance authority and one application for non-controlled prescriptive authority. The next meeting is scheduled for October 5, 2010.

**Newsletter – Sandy Robinson, R. Ph., David Dryden, R.Ph., J.D, and Joli Martini, R. Ph.:** The newsletters were sent out and the Board members were all given a paper copy today. Mr. Dryden will be adding the immunizing information in the next newsletter.

**Legislative – Sandy Robinson, R.Ph, Howard Simon, R.Ph, Sebastian Hamilton, R.Ph, Don Holst, R.Ph, Geoffrey Christ, R.Ph., Esq., and David Dryden, R.Ph., J.D.:** In addition to the levels of driving bans, Ms. Robinson located a law for ONDD which enforces code and advises that the Office of Controlled Substance does the inspections. The Board is to notify Representative Carson if the take-back bill can be incorporated into Regulation 5. Ms. Reardon is to review it for the possible wording.

**Continuing Education – Sandy Robinson, R. Ph., Geoffrey Christ, R.Ph., Esq., and Joli Martini, R. Ph.:** No report.

**Consumer Affairs – Carolyn Calio, and David Bonar:** No report.

**Professional Liaison – Sandra Robinson, R.Ph. and Joli Martini, R.Ph:** Ms. Robinson stated that DSHP is having its summer dinner at Harry's Savoy Grill on September 16, 2010. The Delaware Pharmacists Society (DPS) Board meeting is September 21, 2010 at the Levin Center in Smyrna. On October 7, 2010 @ 6:00 p.m., the Delaware Society of Health-System Pharmacists (DSHP) is having a Fall Clinical Meeting at Michele's Restaurant. CE's will be available. Lastly, all Pharmacists and Technicians are invited to the Fourth Annual Pharmacy

Week Dinner, sponsored by Bayhealth Pharmacy and Novartis Pharmaceuticals Corp., held at the Sheraton Dover Hotel at 6:00 pm on October 20, 2010.

**MPJE Study Committee – Don Holst, R.Ph, Sebastian Hamilton, R.Ph, and David Dryden:** Mr. Holst will be attending the NABP meeting on September 21, 2010 regarding the MPJE exam.

**Controlled Substance Liaisons – Geoffrey Christ, Howard Simon, and Dave Dryden:** Mr. Dryden reported that the controlled substance committee assigned him to be the contact person on the complaints so that the members could participate in the hearings.

**Substantially Related Crimes Committee - Geoffrey Christ, Howard Simon, Allison Reardon, and Dave Dryden:** No report.

### **Board Correspondence**

There was no correspondence.

### **Inspection Report**

Mr. Dryden reported that they have had at least one manufacturer application made to the Board for a Delaware location. The DEA and FDA will be present during the opening inspection process since GMP's will be reviewed.

Mr. Dryden is in the final stages of approving the first pharmacy dispensing device which will be in operation at Christiana Hospital.

Finally, Mr. Dryden reported that questions were reviewed for the MPJE.

### **Other Business before the Board**

There was no other business.

### **Public Comments**

There were no public comments.

### **Next Scheduled Meeting**

The next meeting is scheduled for October 20, 2010.

### **Adjournment**

A motion was made by Mr. Christ, seconded by Mr. Simon, to adjourn the meeting. The motion unanimously carried. The meeting was adjourned at 12:05 p.m.

Respectfully submitted,



Nancy Fields  
Administrative Specialist II